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Human resources management

Amendments to the Staff Rules

Report of the Secretary-General

Summary

Consistent with staff regulation 12.3, the present report contains the full text of new rules or amendments to existing rules that the Secretary-General proposes to implement as from 1 January 2004. The report also provides the rationale for those amendments.

The Secretary-General recommends that the General Assembly take note of the amendments to the Staff Rules set out in the annex to the present report.

* A/58/150.

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1. Staff regulation 12.3 provides that the full text of provisional staff rules and amendments should be reported annually to the General Assembly.

2. Unless otherwise indicated, the proposed amendments contained in the annex to the present report will be effective as from 1 January 2004. New or amended text appears in bold.

A. 100 series

3. Rule 103.20, Education grant, is amended to permit travel by the staff member or his or her spouse to visit the child when travel by the child from the educational institution to the duty station is not possible.

4. Rule 104.3, Re-employment, is amended to specify the entitlements that are subject to adjustment when a staff member receives a new appointment in the United Nations common system less than twelve months after separation, and to clarify the methodology to be applied for that purpose.

5. Rule 104.13, Permanent appointments, is amended to reflect the changes previously made in rule 104.14.

6. Rule 105.3, Home leave, is amended to ensure consistency with the changes previously made in rule 104.14.

7. Rule 111.2, Appeals, is amended to replace the reference to the former appointment and promotion bodies by a reference to the central review bodies established by rule 104.14.

B. 200 series

8. Rule 203.8, Education grant, is amended to permit travel by the project personnel or his or her spouse to visit the child when travel by the child from the educational institution to the duty station is not possible.

9. Rule 204.3, Types of appointment and re-employment, is amended to specify the entitlements that are subject to adjustment when project personnel receive a new appointment in the United Nations common system less than twelve months after separation, and to clarify the methodology to be applied for that purpose.

10. **The Secretary-General recommends that the General Assembly take note of the amended Staff Rules set out in the annex.**

Annex

Text of amendments to the Staff Rules

A. 100 Series

Rule 103.20
Education grant

Travel

(h) A staff member to whom an education grant is payable under paragraphs (i), (ii) or (iv) of appendix G in respect of the child's attendance at an educational institution shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, under conditions established by the Secretary-General. **If travel to the duty station by the child is not possible, return travel by the staff member or spouse may be authorized in lieu of travel by the child, under conditions established by the Secretary-General.**

Rule 104.3
Re-employment

(a) A former staff member who is re-employed shall be given a new appointment or, if re-employed within twelve months of separation from service or a longer period following retirement or disability established under the Joint Staff Pension Fund Regulations, he or she may be reinstated in accordance with paragraph (c) below.

(b) If the former staff member is reinstated, it shall be so stipulated in his or her letter of appoi..tment. If he or she is given a new appointment, its terms shall be fully applicable without regard to any period of former service, except **as provided below:**

(i) Former service may be considered when establishing the level on recruitment and the record of mobility of the staff member; and

(ii) When a staff member receives a new appointment in the United Nations common system less than twelve months after separation, **the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.**

(c) [current rule 104.3 (b), renumbered]

Rule 104.13
Permanent appointments

(b) Recommendations proposing the grant of permanent appointments on the ground that a staff member whose probationary period has been either completed or waived under the terms of rule 104.12 (a) (ii) or (b) (iii) has met the requirements of this rule may be made to the Secretary-General **on the joint recommendation of the department or office concerned and the Office of Human Resources Management or the local personnel office. Such recommendations shall be reported to the appropriate central review body** before submission to the Secretary-General.

(c) Permanent appointments limited to service with one of the programmes, funds or subsidiary organs referred to in rule 104.14 **(b)** may be granted by its corresponding heads with the assistance of such boards as may be established in accordance with the provisions of **that rule**.

Rule 105.3
Home leave

(e) (i) Except in the case of staff members serving on probationary appointment, a staff member's first home leave shall fall due in the calendar year in which the staff member completes two years of qualifying service. A staff member appointed on a probationary basis shall not be entitled to the first home leave until he or she has been granted a permanent appointment or an extension of probationary period; however, if the Secretary-General considers that it will not be possible for **such a decision to be made** within six months after completion of two years' service, he or she may be granted home leave subject to the other conditions of this rule;

Rule 111.2
Appeals

(l) The panel shall have authority to call members of the Secretariat who may be able to provide information concerning the issues before it and shall have access to all documents pertinent to the case. Notwithstanding the preceding sentence, should the panel wish to have information or documents relating to the proceedings of the **central review bodies** in questions involving appointment and promotion, it shall request such information or documents from the Chairperson of the **appropriate central review body**, who shall decide on the panel's request, taking into account the interests of confidentiality. This decision of the Chairperson **of the central review body** is not subject to appeal. The Chairperson of the panel shall determine which documents are to be transmitted to all members of the panel and the parties.

B. 200 Series

Rule 203.8
Education grant

Travel

(g) Project personnel in intermediate-term or long-term status to whom an education grant is payable under paragraphs (i), (ii) or (iv) of appendix III to the present Rules in respect of the child's attendance at an educational institution shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station, under conditions established by the Secretary-General. **If travel to the duty station by the child is not possible, return travel by the project personnel or spouse may be authorized in lieu of travel by the child, under conditions established by the Secretary-General.**

Rule 204.3
Types of appointment and re-employment

(b) Former project personnel who are re-employed shall be given a new appointment, the terms of which shall be fully applicable without regard to any period of former service. However, when project personnel receive a new appointment in the United Nations common system less than twelve months after separation, **the amount of any payment on account of termination indemnity, repatriation grant or commutation of accrued annual leave shall be adjusted so that the number of months, weeks or days of salary to be paid at the time of separation after the new appointment, when added to the number of months, weeks or days paid for prior periods of service, does not exceed the total of months, weeks or days that would have been paid had the service been continuous.**